

Report Date: May 31, 2024

**United States District Court**

for the

**Eastern District of Washington**FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**May 31, 2024**

SEAN F. MCAVOY, CLERK

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Victor Anthony Schwartz

Case Number: 0980 2:23CR00119-TOR-1

Address of Offender: [REDACTED] Spokane Valley, Washington 99216

Name of Sentencing Judicial Officer: The Honorable Dana Christensen, U.S. Chief District Court Judge

Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Court Judge

Date of Original Sentence: April 17, 2014

Original Offense: Possession with Intent to Distribute Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(A)

Original Sentence: Prison - 120 months  
TSR - 60 months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Earl Allan Hicks

Date Supervision Commenced: May 3, 2022

Defense Attorney: Federal Defender's Office

Date Supervision Expires: May 2, 2027

**PETITIONING THE COURT**

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on 5/9/2024.

On May 3, 2022, a United States probation officer reviewed a copy of the conditions of supervision with Mr. Schwartz as outlined in the judgment and sentence. Mr. Schwartz acknowledged an understanding of those conditions.

The probation officer believes that the offender has violated the following conditions of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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**Special Condition #2:** The defendant shall participate in and complete a program of substance abuse treatment as approved by the United States Probation Office, until the defendant is released from the program by the probation officer. The defendant is to pay part or all of the cost of this treatment, as determined by the United States Probation Officer.

**Supporting Evidence:** Mr. Schwartz allegedly violated his conditions of supervised release by failing to report for treatment services at Pioneer Human Services ( PHS) on May 20, 2024.

On May 20, 2024, the undersigned officer received communication from PHS staff that Mr. Schwartz was not present for scheduled services on that date.

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**Mandatory Condition #3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

**Supporting Evidence:** Mr. Schwartz allegedly violated the above-stated condition of supervision by using illicit controlled substances on or about May 21, 2024.

On May 21, 2024, Mr. Schwartz reported to the U.S. Probation Office and submitted a random urine sample which tested positive for methamphetamine. Mr. Schwartz was asked about his sobriety and he stated he “will not admit or deny anything until the labs determine his results.” Mr. Schwartz then proceeded to check the admission, denial, and waived boxes on the use of controlled substance form. The sample was sent into the laboratory for further testing. At the time of this petition, the laboratory results remain pending.

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**Mandatory Condition #3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

**Supporting Evidence:** Mr. Schwartz allegedly violated the terms of his supervised release by consuming methamphetamine on or about May 23, 2024.

On May 23, 2024, Mr. Schwartz provided a random urine sample at PHS. The sample returned presumptive positive for methamphetamine.

Mr. Schwartz signed a denial of use form, denying his use of controlled substances. The urine sample was sent to Alere Laboratory for further testing. At the time of this petition, the laboratory results remain pending.

The U.S. Probation Office respectfully recommends the Court to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/31/2024

s/Mark E. Hedge

Mark E. Hedge

U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



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Thomas O. Rice  
United States District Judge  
May 31, 2024

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Date